

# VIRGIN TOWN

## ORDINANCE # 2016-062216-1

AN ORDINANCE OF THE VIRGIN TOWN COUNCIL, WASHINGTON COUNTY, UTAH, AMENDING CHAPTER 22 OF THE VIRGIN UNIFORM LAND USE ORDINANCES (“VULU”) TO ALLOW SINGLE FAMILY DWELLINGS, AND USES INCIDENTAL THERETO, TO BE A PERMITTED USE IN THE (HRZ) HIGHWAY RESORT ZONE.

### RECITALS

WHEREAS, Virgin Town (“Town”) is a municipal corporation duly organized and existing under the laws of the State of Utah, particularly Title 10 of the Utah Code.

WHEREAS, Virgin Town Council (“Town Council”) is both the Town’s governing body and Land Use Authority pursuant to Utah Code § 10-9a-101 *et seq.*

WHEREAS, the Town has created within VULU a zoning district called the Highway Resort Zone (“HRZ Zone”) which is regulated by Chapter 22.

WHEREAS, the purpose of the HRZ Zone was to create and promote resort type uses along portions of UT State Road 9 (“SR-9”) as it traverses the Town’s municipal boundaries in an effort to stimulate economic development within the Town and provide resort type facilities to the millions of people who travel along SR-9 each year to Zions National Park.

WHEREAS, when Chapter 22 and the HRZ Zone was originally created, Single Family Dwellings and associated uses were prohibited within that Zone on account of its omission from Sections 22.4 and 22.5 and catch all prohibition in Section 22.6.

WHEREAS, upon receipt of additional feedback from residents of the Town and the Town’s Attorney, and upon further consideration, the Town Council has determined that there is no just reasons why Single Family Dwellings and uses incidental thereto should be prohibited in the HRZ Zone.

WHEREAS, the Town Council has further determined that the inclusion of Single Family Dwellings and uses incidental thereto in the HRZ Zone would be a benefit, and not a detriment to the health, safety and general welfare of the Town and its residents.

### ORDINANCE

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Virgin, Washington County, State of Utah, as follows:

1. Addition to Section 22.4 of VULU Chapter 22 (HRZ – Permitted Uses): Chapter 22 of VULU, Section 22.4 (Permitted Uses) is hereby amended and restated in its entirety as follows:

**22.4. PERMITTED USES.**

*Except for the following, there are no permitted uses in the Highway Resort Zone  
- all other uses are by Conditional Use Permit:*

*22.4.1. SINGLE-FAMILY DWELLINGS. Not intended for short-term occupancy. Short-term lease or rental prohibited. Minimum square feet of home is 1,000 square feet.*

*22.4.2. ACCESSORY BUILDINGS AND USES CUSTOMARILY INCIDENTAL TO SINGLE-FAMILY DWELLINGS.*

2. Repealer: This Ordinance supersedes or repeals the provisions of any ordinance, resolution that are inconsistent with the provisions of this Ordinance.

3. Savings Clause: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

4. Effective Date: This Ordinance shall become effective immediately upon adoption by the Virgin Town Council.

*(Signature Page to Follow)*

ADOPTED AND ORDAINED BY THE VIRGIN TOWN COUNCIL this \_\_\_\_ day of June, 2016 based upon the following vote:

Council Member:

Dan Snyder	AYE__	NAE__
Jean Krause	AYE__	NAE__
Jay Lee	AYE__	NAE__
Matthew Spendlove	AYE__	NAE__
Bruce Densley, Mayor	AYE__	NAE__

VIRGIN TOWN  
a Utah municipal corporation

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Bruce Densley, Mayor

ATTEST:

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Monica Bowcutt, Town Clerk